

Before the
Federal Communications Commission
Washington, D.C. 20554

100-36860

FEB - 2 1963

Journal of Management Education 30(6)br/>© The Author(s)
10.1177/0095647206288911
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A. OVERVIEW

B. MEMBERSHIP AND BOARD PARTICIPATION

Scott Fox, BellSouth - President
Brian Zelk, Sprint PCS - Vice-President
Roni Jackson, Cox Communications - Treasurer
Mark McDowell, TeleCorp - Secretary

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The current Board of Directors of the Clearinghouse consists of:

Scott Fox, BellSouth
Brian Zelk, Sprint PCS
Roni Jackson, Cox Communications
Mark McDowell, TeleCorp
Jerry O'Brien, Omnipoint
Rich Freewalt, Aerial
Steve Aspell - Pacific Bell
John Lisee - PrimeCo
Jay Kitchen - PCIA

Board meetings were previously held on a monthly basis. However, with the maturing of some of the Clearinghouse functions and processes, Board meetings are now scheduled bi-monthly. The Board and staff of the Clearinghouse have been involved with the continued refinements of various policies and procedures of the Clearinghouse.

The Clearinghouse continues in its efforts to attract and educate C, D, E, and F Block PCS licensees. As a group, current Board members hold licenses in all of the PCS blocks.

The Clearinghouse has received some disputed reimbursement cases. The Clearinghouse is attempting to work through mutual alternative dispute resolution mechanisms or settlement of such cases, prior to their presentation to the Federal Communications Commission, if required. Such cases involve not only issues dealing with documentation of various reimbursable costs, but also with certain rule interpretations. Those dealing with rule interpretations ultimately may need to be presented to the Commission for clarification.

C. CLEARINGHOUSE OPERATIONS SINCE AUGUST 1, 1997

Since August 1, 1997, the Clearinghouse has registered 164 additional transmittal links from PCS licensees, for a total number of 2,185 links registered since the Clearinghouse began its operation. In addition, since August 1, 1997, the Clearinghouse has received additional PCNs for 13,425 PCS base stations, for a total of 36,127 PCNs received to date. Since operation began, the Clearinghouse has identified 1,038 cost-sharing obligations, requiring amounts to be paid to parties who relocated those links. Of the 1,038 cost reimbursement obligations identified, 504 involved possible second-level reimbursements after the initial reimbursement obligation had previously been triggered by a PCS licensee. In addition, since August 1, 1997, the Clearinghouse has identified the first reimbursable obligations to be required of unlicensed PCS operations and to be reimbursed by UTAM.

Following completion of the first year of operation, the Board of Directors reexamined the fees to be charged on a transaction and determined to reduce the fee from \$2,000 to \$1,800, effective October 1, 1997. The Board is pleased to do this, based upon its initial full year of operation. The Board of Directors of the Clearinghouse will continue to review the operations of the Clearinghouse and, if it so determines, will revise the fee structure accordingly.

D. FORMATION OF MICROWAVE TECHNICAL TASK FORCE

Based upon its experience during its first full year of operations, the Board of Directors formed a technical task force to study and refine certain technical issues involving the processes and Rule interpretations of the functions of the Clearinghouse. The Task Force addressed the following areas:

1. Refinements to Software. The Board of Directors approved updates to the software of the Clearinghouse, to take into account corrections and improvements to the processing of registration of transmitter links, identification of reimbursement obligations, and the processing of PCNs. These improvements were based upon the experience gained by the Clearinghouse during its initial operation.
2. Transfer of Relocation Rights. The Clearinghouse determined a need to refine its software with respect to identifying the transfer of reimbursement rights and the subsequent reimbursement when a party has paid a reimbursement obligation.
3. Multi-Party Agreements. The Clearinghouse studied the complicated issue of multi-party reimbursement agreements and reviewed its processes to assist in the notification and processing associated with such cases. The Board continued to rely upon the underlying agreement of the signatories to the multi-party agreements to determine how the pro-ration of reimbursement is to be made. At the same time, the Clearinghouse determined the need to assist in providing notice to all interested parties to such an agreement.

4. Disaggregation and Partitioning. The adoption by the Commission of disaggregation and partitioning Rules creates a number of complicated scenarios for future reimbursement questions. It was determined that these questions will be resolved on a case-by-case basis as actual incidents of disaggregation and partitioning are presented to the Clearinghouse. The Clearinghouse is aware of the need to monitor such cases as it gains further experience in these issues. A number of issues have been identified which will probably need to be clarified by the Commission.

E. Alternate Dispute Resolution Matters.

The Clearinghouse has encountered the first instance of disputes between parties with respect to reimbursement obligations. The Clearinghouse has in place its Policies and Guidelines with respect to Alternate Dispute Resolution mechanisms. As a whole, the Clearinghouse has attempted to serve as a facilitator between the parties, to facilitate production of documentation as well as facilitation of resolution of the amount of reimbursement in dispute. In several cases, the dispute involves an interpretation of FCC Rules, which may need to be addressed by the Commission. The Clearinghouse is continuing its informal efforts with the parties to resolve the disputes.

F. Industry and Educational Activities. The Clearinghouse held its initial annual meeting in September of 1997. In conjunction with that annual meeting, it participated in an informational seminar conducted during the PCS Showcase '97 in Dallas, Texas. The panel discussed the microwave relocation cost-sharing process, the functions and policies of the PCIA Clearinghouse, and technical and other issues which may occur in the process. The Clearinghouse continues to engage in informational and educational activities on a case-by-case basis with inquiries from the PCS licensees, as well as with existing members.

G. Conclusion.

The Clearinghouse continues to gather information and gain experience in conducting the Clearinghouse's designated functions. During the last six months, the Clearinghouse has identified a number of Rule interpretations which will need to be addressed by the Commission to keep the process moving in an efficient manner. The Clearinghouse anticipates within the next six month period that

these rule interpretations will be presented to the FCC. On the whole, it is the Clearinghouse's view that the cost reimbursement process with respect to PCS licensees who have paid microwave transmitter relocation expenses is working in accordance with the original goals and objectives set by the Clearinghouse and by the Commission.

Respectfully Submitted,

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Date: February 2, 1998